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Bureau of Public Affairs • Department of StateU. S. GOVT. PUBS
The Drug Problem: American Citizens Arrested Abroad

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The problem: As of June 1982, 1,670 American citizens were in jails abroad. Of these, 735 or 44% were held on charges of using, possessing, or trafficking in illegal drugs, according to reports from US diplomatic and consular posts. Out of a total of 3,248 arrests in calendar year 1981, about 1,250 were drug-related. Marijuana was involved in 61% of the arrests of all Americans abroad on drug charges in 1981. Of these, 41% possessed one ounce or less of the substance. Although drug laws vary in each country, American travelers should be aware that foreign countries do not react lightly to drug offenders, nor are they accorded any special privileges because they are US citizens. In many countries, local laws make no distinction between soft and hard drugs--whether it be marijuana or heroin--in arresting, detaining, and sentencing Americans on drug-related charges. Penalties for drug violations are severe in many countries, including pre-trial detention ranging from 6 to 24 months and mandatory prison sentences of 7 years or more without parole. Bail is not acceptable in many countries in drug trafficking cases.

Statistics on detention: The Department of State's Citizens Emergency Center in the Bureau of Consular Affairs reports that although drug arrests occurred last year in 74 countries, the top five countries continued to be the Bahamas, Mexico, the Dominican Republic, Canada, and the Federal Republic of Germany. In 1981, these countries accounted for 58% of the drug arrests of American citizens overseas.

Travel advice: It is essential that all prospective travelers take note of the following facts before going abroad:

- Foreign governments are not more tolerant of drug use, nor are they more permissive in their drug laws and law enforcement than is the US. On the contrary, most countries are much stricter, and their judicial/penal systems differ greatly from the US system. Few foreign countries provide a jury trial.
- Pre-trial detention, which may involve confinement for months in primitive prison conditions, is the rule rather than the exception.
- Penalties for possession or trafficking in any kind of soft or hard drug range from 2 to 25 years and include a heavy fine in many countries. In some countries (e.g., Turkey, Algeria, Iran, and Singapore), conviction can lead to a life sentence or the death penalty.
- Prosecution of offenders is being intensified abroad. Arrests are being made everywhere within the territorial jurisdiction of a country, including territorial waters and air space, as well as the transit areas of international airports. There are no "free ports" for drug offenses.



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US consular officers abroad can:

- Insure insofar as possible that the detainee's rights under local law are fully observed, and humane treatment is accorded under internationally accepted standards.
- Visit the detainee as soon as possible after the arrest is made known, and on a regular basis during detention. The consular officer can also provide the detainee with a list of local attorneys from which to select defense counsel.
- Contact family and/or friends for financial or other aid (e.g., food, medical supplements) if requested by the detainee.

US consular officers abroad cannot:

- Demand the detainee's immediate release.
- Represent the detainee at trial, give legal counsel, or pay legal fees or other related expenses with US Government funds.
- Intervene in the court system/judicial process of a foreign country in an effort to obtain preferred treatment.

Citizens Emergency Center in the US: The Citizens Emergency Center of the Bureau of Consular Affairs provides emergency services pertaining to the protection of Americans arrested or detained abroad, the search for American citizens overseas, and the transmission of emergency messages to those citizens or their next of kin in the United States. Assistance at the Citizens Emergency Center is available Monday through Friday, 8:15 a.m. to 10:00 p.m. at (202) 632-5225. After hours and on weekends, a duty officer from the Citizens Emergency Center is available for emergencies from 10:00 p.m. to 8:15 a.m. during the week and at all times during the weekends and holidays.